

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1292, 1293, 1294 of this title.

§ 1292. Area telecasting restriction limitation

Section 1291 of this title shall not apply to any joint agreement described in the first sentence in such section which prohibits any person to whom such rights are sold or transferred from televising any games within any area, except within the home territory of a member club of the league on a day when such club is playing a game at home.

(Pub. L. 87-331, §2, Sept. 30, 1961, 75 Stat. 732; Pub. L. 89-800, §6(b)(2), Nov. 8, 1966, 80 Stat. 1515.)

AMENDMENTS

1966—Pub. L. 89-800 substituted “described in the first sentence of such section” for “described in such section”.

§ 1293. Intercollegiate and interscholastic football contest limitations

The first sentence of section 1291 of this title shall not apply to any joint agreement described in such section which permits the telecasting of all or a substantial part of any professional football game on any Friday after six o'clock post-meridian or on any Saturday during the period beginning on the second Friday in September and ending on the second Saturday in December in any year from any telecasting station located within seventy-five miles of the game site of any intercollegiate or interscholastic football contest scheduled to be played on such a date if—

(1) such intercollegiate football contest is between institutions of higher learning both of which confer degrees upon students following completion of sufficient credit hours to equal a four-year course, or

(2) in the case of an interscholastic football contest, such contest is between secondary schools, both of which are accredited or certified under the laws of the State or States in which they are situated and offer courses continuing through the twelfth grade of the standard school curriculum, or the equivalent, and

(3) such intercollegiate or interscholastic football contest and such game site were announced through publication in a newspaper of general circulation prior to August 1 of such year as being regularly scheduled for such day and place.

(Pub. L. 87-331, §3, Sept. 30, 1961, 75 Stat. 732; Pub. L. 89-800, §6(b)(3), Nov. 8, 1966, 80 Stat. 1515.)

AMENDMENTS

1966—Pub. L. 89-800 substituted “The first sentence of section 1291 of this title” for “Section 1291 of this title” at beginning of section, extended limitation granted for football contests on game sites located within 75 miles of telecasting stations to include interscholastic contests, redesignated cl. (2) as (3), added a new cl. (2), and, in cl. (3) as so redesignated, substituted “newspaper of general circulation prior to August 1” for “daily newspaper of general circulation prior to March 1” as description of the type newspaper required for the announcement of the game site of intercollegiate or interscholastic football games.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 47 section 331.

§ 1294. Antitrust laws unaffected as regards to other activities of professional sports contests

Nothing contained in this chapter shall be deemed to change, determine, or otherwise affect the applicability or nonapplicability of the antitrust laws to any act, contract, agreement, rule, course of conduct, or other activity by, between, or among persons engaging in, conducting, or participating in the organized professional team sports of football, baseball, basketball, or hockey, except the agreements to which section 1291 of this title shall apply.

(Pub. L. 87-331, §4, Sept. 30, 1961, 75 Stat. 732.)

REFERENCES IN TEXT

The antitrust laws, referred to in text, are classified generally to chapter 1 (§1 et seq.) of this title.

§ 1295. “Persons” defined

As used in this chapter, “persons” means any individual, partnership, corporation, or unincorporated association or any combination or association thereof.

(Pub. L. 87-331, §5, Sept. 30, 1961, 75 Stat. 732.)

CHAPTER 33—BRAKE FLUID REGULATION**§§ 1301 to 1303. Repealed. Pub. L. 89-563, title I, § 117(a), Sept. 9, 1966, 80 Stat. 727**

Sections, Pub. L. 87-637, §§1-3, Sept. 5, 1962, 76 Stat. 437, provided for promulgation of standards for hydraulic brake fluid used in motor vehicles and set the penalty for the unlawful sale, importation, or introduction into commerce of fluid not meeting the published standards. See chapter 38 (§1381 et seq.) of this title.

SAVINGS PROVISION

Pub. L. 89-563, title I, §117(b)–(e), Sept. 9, 1966, 80 Stat. 727, provided that persons willfully violating sections 1301 to 1303 and 1321 to 1323 of this title would be punished in accordance with provisions of laws in effect on date of violation, prior to repeal by Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379.

CHAPTER 34—ANTITRUST CIVIL PROCESS

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- 1314. Judicial proceedings.
 - (a) Petition for enforcement; venue.
 - (b) Petition for order modifying or setting aside demand; time for petition; suspension of time allowed for compliance with demand during pendency of petition; grounds for relief.
 - (c) Petition for order modifying or setting aside demand for production of product of discovery; grounds for relief; stay of compliance with demand and of running of time allowed for compliance with demand.
 - (d) Petition for order requiring performance by custodian of duties; venue.
 - (e) Jurisdiction; appeal; contempts.
 - (f) Applicability of Federal Rules of Civil Procedure.
 - (g) Disclosure exemption.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 18a of this title; title 18 sections 1505, 1905; title 42 section 6272; title 44 section 3518; title 46 App. section 1702.

§ 1311. Definitions

For the purposes of this chapter—

- (a) The term “antitrust law” includes:
 - (1) Each provision of law defined as one of the antitrust laws by section 12 of this title; and
 - (2) Any statute enacted on and after September 19, 1962, by the Congress which prohibits, or makes available to the United States in any court of the United States any civil remedy with respect to any restraint upon or monopolization of interstate or foreign trade or commerce;
- (b) The term “antitrust order” means any final order, decree, or judgment of any court of the United States, duly entered in any case or proceeding arising under any antitrust law;
- (c) The term “antitrust investigation” means any inquiry conducted by any antitrust investigator for the purpose of ascertaining whether any person is or has been engaged in any antitrust violation or in any activities in preparation for a merger, acquisition, joint venture, or similar transaction, which, if consummated, may result in an antitrust violation;
- (d) The term “antitrust violation” means any act or omission in violation of any antitrust law, any antitrust order or, with respect to the International Antitrust Enforcement Assistance Act of 1994 [15 U.S.C. 6201 et seq.], any of the foreign antitrust laws;
- (e) The term “antitrust investigator” means any attorney or investigator employed by the Department of Justice who is charged with the duty of enforcing or carrying into effect any antitrust law;
- (f) The term “person” means any natural person, partnership, corporation, association, or other legal entity, including any person acting under color or authority of State law;
- (g) The term “documentary material” includes the original or any copy of any book,

record, report, memorandum, paper, communication, tabulation, chart, or other document, and any product of discovery;

(h) The term “custodian” means the custodian or any deputy custodian designated under section 1313(a) of this title;

(i) The term “product of discovery” includes without limitation the original or duplicate of any deposition, interrogatory, document, thing, result of the inspection of land or other property, examination, or admission obtained by any method of discovery in any judicial litigation or in any administrative litigation of an adversarial nature; any digest, analysis, selection, compilation, or any derivation thereof; and any index or manner of access thereto; and

(j) The term “agent” includes any person retained by the Department of Justice in connection with the enforcement of the antitrust laws.

(k) The term “foreign antitrust laws” has the meaning given such term in section 12 of the International Antitrust Enforcement Assistance Act of 1994 [15 U.S.C. 6211].

(Pub. L. 87-664, § 2, Sept. 19, 1962, 76 Stat. 548; Pub. L. 94-435, title I, § 101, Sept. 30, 1976, 90 Stat. 1383; Pub. L. 96-349, §§ 2(a), 7(a)(1), Sept. 12, 1980, 94 Stat. 1154, 1158; Pub. L. 103-438, § 3(e)(1)(A), Nov. 2, 1994, 108 Stat. 4598.)

REFERENCES IN TEXT

This chapter, referred to in opening phrase, was in the original “this Act”, meaning Pub. L. 87-664, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note below and Tables.

The International Antitrust Enforcement Assistance Act of 1994, referred to in subsec. (d), is Pub. L. 103-438, Nov. 2, 1994, 108 Stat. 4597, which is classified principally to chapter 88 (§ 6201 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6201 of this title and Tables.

AMENDMENTS

1994—Subsec. (d). Pub. L. 103-438, § 3(e)(1)(A)(i), substituted “, any” for “or any” and inserted before semicolon at end “or, with respect to the International Antitrust Enforcement Assistance Act of 1994, any of the foreign antitrust laws”.

Subsec. (k). Pub. L. 103-438, § 3(e)(1)(A)(ii), added subsec. (k).

1980—Subsec. (g). Pub. L. 96-349, § 2(a)(1), extended definition of “documentary material” to include any product of discovery.

Subsec. (h). Pub. L. 96-349, § 2(a)(2), substituted a semicolon for period at end.

Subsec. (i). Pub. L. 96-349, § 2(a)(3), added subsec. (i).

Subsec. (j). Pub. L. 96-349, § 7(a)(1), added subsec. (j).

1976—Subsec. (a). Pub. L. 94-435, § 101(1), in par. (1) inserted “and” after semicolon preceding par. (2), struck out par. (2) which included the Federal Trade Commission Act in definition of antitrust law for purposes of this chapter, redesignated par. (3) as (2), struck out “(A)” before “any restraint”, and struck out subpar. (B) which related to any unfair trade practice in or affecting interstate or foreign trade or commerce.

Subsec. (c). Pub. L. 94-435, § 101(2), inserted “or in any activities in preparation for a merger, acquisition, joint venture, or similar transaction, which if consummated, may result in an antitrust violation;” after “engaged in any antitrust violation”.

Subsec. (f). Pub. L. 94-435, § 101(3), included “any natural person” and “any person acting under color or authority of State law” in definition of “person”.